



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 29 2014

RETURN RECEIPT REQUESTED

Certified Mail#: 7004-1160-0002-3622-9681

In Reply Refer to:

EPA File No.: 18R-13-R4

Michael Alston
Director, Office of Civil Rights
Office of Justice Programs,
U.S. Department of Justice
810 Seventh Street, N.W.
Washington, D.C. 20531-3718

Re: REFERRAL of ADMINISTRATIVE COMPLAINT

Dear Mr. Alston:


On October 18, 2013, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received a complaint from an inmate, (b) (6) - Privacy in Hoke Correctional Institution. Complainant alleged that he was being subjected to raw sewage leaking from the ceiling in F Block and a kitchen infested with cockroaches and mice. He also alleged that he was being exposed to asbestos in the South Unit that should have been removed but had merely been painted over with black paint. A copy of (b) (6) - Privacy complaint is enclosed.

Because OCR has responsibility for processing complaints alleging violations of Title VI of the Civil Rights Act of 1964 and the EPA's nondiscrimination regulations found at 40 C.F.R. Part 7, we assumed for purposes of processing that the subject complaint was made under Title VI. The EPA has determined that the Hoke Correctional Institution is not an applicant for, or a recipient of, the EPA's assistance. Therefore, the complaint does not fall within the EPA's Title VI jurisdiction, and the EPA must reject it for investigation. 40 C.F.R. § 7.15.

Because the U. S. Department of Justice (DOJ) may have subject-matter jurisdiction over the allegations in the subject complaint, the EPA OCR is referring it to the DOJ for appropriate action. We have notified the Complainant that his complaint has been forwarded to the DOJ and provided your contact information. If

you have any questions, please contact Samuel Peterson at (202) 564-5393, via email, at peterson.samuel@epa.gov, or by mail at the U.S. EPA, Office of Civil Rights, (MC 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460-1000. Thank you.

Sincerely,


Velveta Golightly-Howell
Director

Enclosure

cc: Kenneth Redden
Associate General Counsel
Civil Rights & Finance Law Office, EPA
(MC 2399A)

Ken LaPierre
Deputy Civil Rights Official
U.S. EPA Region IV
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960
(MC 9T25)

(b) (6) - Privacy

Raeform, North Carolina **(b) (6)**